UNITED
NATIONS

E

Economic and Social
Council

PROVISIONAL

E/1996/SR.6
3 July 1996

ORIGINAL: ENGLISH

Resumed organizational session for 1996

PROVISIONAL SUMMARY RECORD OF THE 6th MEETING

Held at Headquarters, New York,
on Friday, 3 May 1996, at 10 a.m.

President: Mr. GERVAIS (Côte d'Ivoire)

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The meeting was called to order at 10.40 a.m.

ELECTIONS, NOMINATIONS AND APPOINTMENTS (continued)

Committee on Economic, Social and Cultural Rights (E/1996/19 and Add.1)

The PRESIDENT drew attention to the list of candidates in document E/1996/19 and Add.1. In addition, the secretariat had received the candidature of Oscar Ceville (Panama) from the Group of Latin American and Caribbean States. Those elected would serve for a four-year term beginning on 1 January 1997. Since the number of candidates from the Group of Latin American and Caribbean States and the Group of Western European and other States was equal to the number of vacancies for each group, he took it that the Council wished to elect them by acclamation.

It was so decided.

Oscar Ceville (Panama), María de los Angeles Jiménez Butraqueño (Spain), Kenneth Osborne Rattray (Jamaica) and Philippe Texier (France) were elected members of the Committee on Economic, Social and Cultural Rights.

The PRESIDENT invited the Council to elect by secret ballot two members from the Group of African States, one member from the Group of Asian States and two members from the Group of Eastern European States.

At the invitation of the President, Ms. Turnbull (Australia) and Mrs. Vargas de Mendiola (Costa Rica) acted as tellers.

A vote was taken by secret ballot.

Group of African States

Number of ballot papers:	53
Invalid ballots:	1
Number of valid ballots:	52
Number of members voting:	52
Required majority:	27
Number of votes obtained:	
Abdessatar Grissa (Tunisia)	43
Ariranga Govindasamy Pillay (Mauritius)	30
Lucian Tibaruha (Uganda)	14

Tarik Ezzaki (Morocco) 10

Madoe Virginie Ahodikpe (Togo) 7

Félix Lompo (Niger) 4

Having obtained the required majority, Abdessatar Grissa (Tunisia) and Ariranga Govindasamy Pillay (Mauritius) were elected members of the Committee on Economic, Social and Cultural Rights.

Group of Eastern European States

Number of ballot papers: 53

Invalid ballots: 2

Number of valid ballots: 51

Abstentions: 1

Number of members voting: 50

Required majority: 26

Number of votes obtained:

Dumitru Ceausu (Romania) 32

Ivan Antanovich (Belarus) 31

Krzysztof Drzewcki (Poland) 24

Vojtech Tkáč (Slovakia) 10

Having obtained the required majority, Dumitru Ceausu (Romania) and Ivan Antanovich (Belarus) were elected members of the Committee on Economic, Social and Cultural Rights.

Group of Asian States

Number of ballot papers: 53

Invalid ballots: 2

Number of valid ballots: 51

Number of members voting: 51

Majority required: 26

Number of votes obtained:

Walid Sa'di (Jordan) 24

Luvsandanzangiin Ider (Mongolia) 18

Nicos Symeonides (Cyprus) 9

The PRESIDENT said that, no candidate having received the required majority, the Council would proceed to a second ballot restricted to the two candidates who had obtained the largest number of votes without having obtained the required majority.

At the invitation of the President, Ms. Turnbull (Australia) and Mrs. Vargas de Mendiola (Costa Rica) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	54
Number of valid ballots:	54
Number of members voting:	54
Required majority:	28
Number of votes obtained:	
Walid Sa'di (Jordan)	32
Luvsandanzangiin Ider (Mongolia)	22

Having obtained the required majority, Walid Sa'di (Jordan) was elected a member of the Committee on Economic, Social and Cultural Rights.

Mrs. KABA CAMARA (Côte d'Ivoire), supported by Mrs. CASTRO DE BARISH (Costa Rica), said that her delegation was concerned that the method used to elect members of the Committee on Economic, Social and Cultural Rights was not in conformity with the methods applied to other human rights bodies, since Council members which had not signed the International Covenant on Economic, Social and Cultural Rights should not participate in the election of members of the Committee. The principle of equitable geographical representation should also be extended to all human rights committees. She requested the Council to examine that matter at its substantive session.

Committee on Natural Resources (E/1996/L.13 and Add.1)

The PRESIDENT drew attention to the candidates described in document E/1996/L.13 and Add.1. In addition, the secretariat had been informed that the Governments of Egypt, Ghana, Kenya, Malawi, Nigeria and Zambia would nominate candidates for the six vacancies to be filled by the Group of African States; and that the Government of the Netherlands would nominate a candidate and the Government of Sweden had nominated a candidate - Malin Falkenmark - for two of the six vacancies to be filled by the Group of Western European and other States. Those elected would serve for a term beginning on 1 January 1997. Since the number of candidates from the Group of African States, the Group of Asian States and the Group of Western European and other States was equal to or less than the number of vacancies for the respective groups, he took it that the Council wished to elect them by acclamation.

It was so decided.

Malin Falkenmark (Sweden), Li Yuwei (China), Karlheinz Rieck (Germany) and the candidates to be nominated by the Governments of Egypt, Ghana, Kenya, Malawi, the Netherlands, Nigeria, and Zambia were elected members of the Committee on Natural Resources.

The PRESIDENT said that no candidates had yet been proposed for the vacancies to be filled by the Group of Eastern European States or the Group of Latin American and Caribbean States.

Committee on New and Renewable Sources of Energy and on Energy for Development (E/1996/L.15)

The PRESIDENT drew attention to the candidates described in document E/1996/L.15. In addition, the secretariat had been informed that the Governments of Austria and Germany had nominated Wolfgang Hein and Paul-Georg Gutermutt, respectively, and that the Government of the Netherlands would nominate a candidate, for three of the six vacancies to be filled by the Group of Western European and other States. Those elected would serve for a term beginning on 1 January 1997. Since the number of candidates from the Group of Asian States and the Group of Western European and other States was equal to or less than the number of vacancies for the respective groups, he took it that the Coun l wished to elect them by acclamation.

It was so decided.

Zhai Guocheng (China), Paul-Georg Gutermutt (Germany), Wolfgang Hein (Austria) and the candidate to be nominated by the Government of the Netherlands were elected members of the Committee on New and Renewable Sources of Energy and on Energy for Development.

The PRESIDENT said that no candidates had yet been proposed for the vacancies to be filled by the Group of African States, the Group of Eastern European States or the Group of Latin American and Caribbean States.

Commission on Population and Development (E/1996/L.6)

The PRESIDENT said that the secretariat had received the endorsed candidatures of Algeria, the Congo, Lesotho, Uganda and Zambia for the five vacancies to be filled by the Group of African States. Since the number of candidates from the Group of African States was equal to the number of vacancies, he took it that the Council wished to elect them by acclamation.

It was so decided.

Algeria, the Congo, Lesotho, Uganda and Zambia were elected members of the Commission on Population and Development.

The PRESIDENT said that a full slate of candidates for the 20 new members of the Commission on Population and Development had now been elected. In accordance with the established practice of the Council and in order to provide continuity on the Commission, a drawing of lots was needed in order to stagger the initial terms of office of the new members of the Commission.

The Council decided by the drawing of lots that, in the Group of African States, Algeria and the Congo would serve for three-year terms, Lesotho and Zambia would serve for two-year terms, and Uganda would serve for a one-year term; in the Group of Asian States, the Islamic Republic of Iran and the Syrian Arab Republic would serve for three-year terms, the Philippines and the Republic of Korea would serve for two-year terms, and Nepal and Pakistan would serve for one-year terms; in the Group of Eastern European States, the former Yugoslav Republic of Macedonia would serve for a three-year term and Ukraine would serve for a two-year term; in the Group of Latin American and Caribbean States, El Salvador and Peru would serve for three-year terms, Venezuela would serve for a two-year term, and Cuba would serve for a one-year term; and in the Group of Western European and other States, Malta would serve for a three-year term, Italy would serve for a two-year term and Finland would serve for a one-year term.

The PRESIDENT invited the Council to elect 14 members of the Commission on Population and Development for a four-year term beginning on 1 January 1997. Information regarding the Commission was given in document E/1996/L.6.

Ms. KELLEY (Secretary of the Council) said that the Group of African States had endorsed the candidacies of Cameroon, Côte d'Ivoire and Ethiopia for its three vacancies. No candidates had been proposed for the three vacancies for the Group of Asian States. The Group of Eastern European States had endorsed Hungary for its vacancy; for the three seats for the Group of Latin American and Caribbean States, Panama had been proposed. There were four vacancies for the Group of Western European and other States, for which the four non-endorsed candidates were Belgium, Canada, Germany and Turkey.

Mr. OKANIWA (Japan) said that the Group of Asian States was endorsing the candidacy of Bangladesh.

The PRESIDENT said that since the number of candidates in all groups was equal to or less than the number of vacancies, he would take it that the Council wished to elect by acclamation the candidates proposed and to postpone the election of two members of the Group of Asian States and two members from the Group of Latin American and Caribbean States.

Bangladesh, Belgium, Cameroon, Canada, Côte d'Ivoire, Ethiopia, Germany, Hungary and Panama were elected members of the Commission on Population and Development.

Mr. SINGH (India) said that it appeared inconsistent to his delegation that those nine new members of the Commission should serve four-year terms, while the new members elected earlier would serve terms of one, two or three years. The length of terms should have been resolved before the elections, and the Council should address the issue at its substantive session.

International Narcotics Control Board

The PRESIDENT said that the Council had before it documents containing biographical information regarding the candidates nominated by the World Health Organization and those nominated by Governments for election to the International Narcotics Control Board. He also drew attention to a vacancy created by the withdrawal of Dr. Fernando Salazar of Bolivia.

He invited the Council to elect two members to the International Narcotics Control Board from the list of candidates submitted by the World Health Organization.

At the invitation of the President, Mr. Garcia-Moritan (Argentina) and Mr. Aquarone (Netherlands) acted as tellers.

A vote was taken by secret ballot.

Number of ballots:	54
Number of valid ballots:	54
Abstentions:	1
Members voting:	53
Required majority:	27
Number of votes obtained:	
Nelia P. Cortes-Maramba (Philippines)	39
A. Hamid Ghodse (Islamic Republic of Iran)	27
Kalman Szendrei (Hungary)	23
Philip O. Emafo (Nigeria)	17

Having obtained the required majority, Nelia P. Cortes-Maramba (Philippines) and A. Hamid Ghodse (Islamic Republic of Iran) were elected members of the International Narcotics Control Board.

The PRESIDENT invited the Council to elect five members of the International Narcotics Control Board from the list of candidates submitted by Governments.

Ms. KELLEY (Secretary of the Council) said that Bolivia had withdrawn its candidacy.

Mr. SHEVCHENKO (Ukraine) and Mr. AZLAN MAN (Malaysia) said that their countries had withdrawn their candidates.

Mr. KAMAL (Pakistan) pointed out that the names of the candidates from his country and from Bangladesh had been interchanged on the ballot paper. The entry should read:

M. Enamul Huq (Bangladesh)

Dil Jan Khan (Pakistan)

In view of the importance his country attached to the eradication of narcotic drugs, he wished to ensure that all Council members were aware of the misprint.

Mr. ZIAUDDIN (Bangladesh), supported by Mr. COLOMA (Chile), suggested that amended ballot papers should be issued.

The PRESIDENT said that the original ballot papers would be withdrawn and amended papers issued.

At the invitation of the President, Mr. Bakala (Congo) and Mr. Nawrot (Poland) acted as tellers.

A vote was taken by secret ballot.

Number of ballot papers:	54
Invalid ballots:	2
Number of valid ballots:	52
Number of members voting:	52
Required majority:	27
Number of votes obtained:	
Jacques Franquet (France)	32
Dil Jan Khan (Pakistan)	32
Alfonso Gómez Méndez (Colombia)	31

Herbert S. Okun (United States of America)	27
C. Chakrabarty (India)	22
Gabriel Lôtter (South Africa)	18
Nobuo Motohashi (Japan)	17
M. Enamul Huq (Bangladesh)	8
Arthur Pereira de Castilho Neto (Brazil)	8
Ammar Osman Abdel-Rahman (Sudan)	8
Bunsom Martin (Thailand)	8
Koesparmono Irsan (Indonesia)	6
David Scicluna (Malta)	6
Maurice Randrianame (Madagascar)	5
Jassim A. Abdul-Razzaq (Iraq)	4
Glenys Dore (New Zealand)	4
Souheila Hakim (Syrian Arab Republic)	4
Gottfried Machata (Austria)	3
Milan Skrlj (Slovenia)	3
Philip Lazarov (Bulgaria)	2
Jayeshwur Raj Dayal (Mauritius)	2
Ion Roibu (Romania)	2
Sinaly Coulibaly (Mali)	1
Faizur Rahman Chaudhury (Bangladesh)	0
M'Pérè Diarra (Mali)	0
Dheerendra Kuman Dabee (Mauritius)	0
Jenica Dragan (Romania)	0

Having obtained the required majority, Jacques Franquet (France), Dil Jan Khan (Pakistan), Alfonso Gómez Méndez (Colombia) and Herbert S. Okun (United States of America) were elected members of the International Narcotics Control Board.

The PRESIDENT said that a second ballot to elect a fifth member of the International Narcotics Control Board, restricted to the two candidates who had obtained the largest number of votes without having obtained the required majority in the first ballot would be held at a later date.

ADOPTION OF THE AGENDA AND OTHER ORGANIZATIONAL MATTERS (continued)

Mr. KOVANDA (Czech Republic), Vice-President, reporting on the results of the informal consultations on the question of accreditation to the United Nations Conference on Human Settlements (Habitat II) of the non-governmental organizations that had not been recommended for accreditation by the Conference secretariat, said that there had been no developments since he had given his report the previous day.

The PRESIDENT asked whether the Council wished to exclude some non-governmental organizations, as it had in 1995.

Mr. MARRERO (United States of America) said no formal recommendations had been received, and he wondered on what basis such decisions should be made. Further explanation was needed before action could be considered.

Mr. WANG Xuexian (China) said that several non-governmental organizations should continue to be excluded from participation in Habitat II.

Mr. MARRERO (United States of America) expressed concern that the Tibetan Rights Campaign, which had initially been recommended for accreditation, had been moved to the list of non-governmental organizations not recommended for accreditation (E/CONF.164/PC.3/2/Add.4). The fact that the organization had not been accredited for the fourth World Conference on Women should in no way imply automatic exclusion from the United Nations Conference on Human Settlements (Habitat II). His delegation had later been given to understand that the organization had been rejected on the grounds that its primary objective was not clearly relevant or seemed to be outside the substantive scope of the Conference.

The Tibetan Rights Campaign was in fact actively involved in local efforts in the United States to prepare for the Conference. Given the considerable efforts which it had expended in the preparations for the Conference, it was clear that the organization was, in a very substantive way, interested and involved in its work. Since the organization had been considered, in the first instance, to have presented sufficient evidence of its relevance, it was hard to understand on what grounds it had been subsequently re-evaluated and removed from the list of non-governmental organizations recommended for accreditation. The only apparent explanation was an objection raised by one Member State which had challenged the relevance of the group's activities for the Conference. Unfortunately, no facts or information had been

offered to substantiate that allegation. To that extent, the secretariat's action in removing the organization from the list of recommended organizations before the allegations had been objectively substantiated was irregular and a departure from established principles and procedures, which provided that an organization recommended for accreditation should so remain unless removed by action of the members of the Council as a whole. Any Member State which challenged the accreditation recommended by the secretariat must establish, with sufficient evidence, that that recommendation should be overturned. No such evidence had been presented.

The departure from established practices raised a substantial issue of principle. No single Member State should be the sole arbiter of which organizations should be added to or removed from the list. To permit that to occur would compromise the integrity of the process and the impartiality of the secretariat. While a host country could object to the accreditation of an organization on national security grounds justifying the denial of access for that organization to its territory, it was another matter to extend that principle in order to deny access to another host country by an organization otherwise deemed relevant to participate in an international conference. His delegation therefore objected to the exclusion of the Tibetan Rights Campaign, and asked that a vote should be taken on the matter.

Mr. BUSACCA (Observer for Italy), speaking on behalf of the European Union, said that his delegation had always supported the broadest participation of non-governmental organizations in international conferences through a fully transparent and open process of accreditation.

The matter before the Council was indeed a very serious one. In view of the statement made by the delegation of the United States of America, a more detailed explanation should be provided regarding the decision not to recommend the three non-governmental organizations listed in annex II.

Mr. ROWE (Australia) said that his delegation also supported the widest participation of non-governmental organizations in international conferences in accordance with the agreed criteria. Insufficient information had been provided as to why the Tibetan Rights Campaign had been moved to the "not recommended" list. A more detailed explanation must be provided to enable the Council to make an appropriate decision. The integrity of the accreditation process must be maintained.

Mr. WANG Xuexian (China) said that the issue currently before the Council had been settled the previous year. It was regrettable that a Member State was again imposing it on the Council, placing an additional strain on the resources of the United Nations, which were already very tight due to that State's accumulated arrears.

The so-called Tibetan Rights Campaign was an organization, based in the territory of the United States of America, the primary objective of which was to separate Tibet from China. It represented a challenge not only to the sovereignty and territorial integrity of China, but also to the purposes and principles of the United Nations Charter. It was precisely for that reason that the Council had decided in 1995 to deny accreditation to that organization for participation in the fourth World Conference on Women. Contrary to the suggestion of the United States representative, the reason had not been that the Conference had been held in Beijing.

The attempt by the United States of America to obtain accreditation for the so-called Tibetan Rights Campaign for the Habitat II Conference was absolutely unacceptable to China, and should be firmly rejected by the Council. In the light of the recommendation of the Conference secretariat, the organization obviously did not meet the criteria for accreditation. He believed that the secretariat's assessment was correct and should be respected by the Council.

The decision made by the Council in 1995 to reject the organization had been based on the fundamental principle that no organization whose objective was to sabotage the sovereignty and territorial integrity of Member States should be allowed to be involved in activities related to the United Nations. Consequently, the Council should firmly reject accreditation of that organization for participation in Habitat II activities.

The United States delegation had claimed that the Tibetan Rights Campaign was involved in activities inside the United States of America related to Habitat II, and was thereby qualified for participation in the Conference. Such an argument was totally groundless; even if the organization had been involved in certain activities in the United States, it did not follow that the organization had changed its nature or its primary objective. While China supported wide participation of non-governmental organizations in international conferences, the issue before the Council was an extremely serious one. He believed that all Member States which valued their own sovereignty and

territorial integrity, and were prepared to defend the purposes and principles of the United Nations Charter, would reach a correct decision.

Ms. IRISH (Canada) said that the application of objective criteria was of crucial importance in maintaining the integrity of the accreditation process. It was most important that the secretariat should clearly explain its reasons for having changed its original recommendation in favour of accreditation of the Tibetan Rights Campaign.

Mr. MAWLAWI (Secretariat of the United Nations Conference on Human Settlements) said that, in making its recommendations concerning the accreditation of non-governmental organizations, the Conference secretariat had based its assessment on information submitted by the organizations themselves in their applications and the accompanying documents. The secretariat had also taken guidance from the accreditation process for previous international conferences. The application received from the Tibetan Rights Campaign had indicated that its activities had included participation in the fourth World Conference on Women, and its annual report had mentioned that it had been recommended for participation at that Conference. Subsequently, however, that information had been found to be inaccurate. Although a document issued in 1995 by the Council had stated that the Tibetan Rights Campaign had been recommended for accreditation, subsequent verification had shown that statement to be erroneous, and a corrigendum had been issued on 6 February 1996 (E/1995/INF/4/Add.2/Corr.1) which indicated that the organization had not been recommended for accreditation to the fourth World Conference on Women.

Mr. ELTINAY (Sudan) said that all members of the Council were in favour of wide participation of non-governmental organizations in international conferences. However, when such organizations and their objectives were not consistent with the work of those conferences or with the principles of the United Nations, that should also be borne in mind. The United Nations Charter did not allow any meddling in the internal affairs of Member States, and the Council should not encourage the actions of any organization which failed to respect the sovereignty and territorial integrity of Member States. It would be inappropriate to reconsider the recommendation that the Tibetan Rights Campaign should be denied accreditation for the United Nations Conference on Human Settlements.

Mr. BUSACCA (Observer for Italy) said that apparently the main reason for recommending that the Tibetan Rights Campaign should be denied accreditation for the United Nations Conference on Human Settlements was that it had not been recommended for accreditation for the fourth World Conference on Women. It was disappointing that more detailed information had not been provided as to other reasons for the decision, such as the relevance of that organization to the United Nations Conference on Human Settlements. In order to make a considered decision, the Council needed more complete information. The fourth World Conference on Women had been a different event and different considerations had been taken into account.

Mr. MAWLAWI (Secretariat of the United Nations Conference on Human Settlements) said that providing inaccurate information to the Conference secretariat was a serious matter. Although the secretariat did take guidance from the decisions made regarding previous international conferences, it did not base its decisions solely on that. Furthermore, the Conference secretariat had been provided with more information, which was of a sensitive nature, and the content of which could be considered to preclude any recommendation that accreditation should be granted to the Tibetan Rights Campaign.

Mr. MARRERO (United States of America) said that the explanation provided by the Conference secretariat did not answer the very vital question of why the secretariat had, in the first instance, found the organization in question to be relevant, and had subsequently changed its mind. The information concerning the denial to that organization of accreditation to the fourth World Conference on Women must have been available to the secretariat when the organization had filed its latest application. His delegation had also been informed that the organization had not at any time been given official notification that it had been rejected for accreditation to the fourth World Conference on Women.

Mr. AGGREY (Ghana) said that, in the absence of a consensus, the only way for the Council to decide the issue was by a vote, as had been already been requested by the delegation of the United States of America.

The PRESIDENT said that he took it that the Council wished to deny accreditation to the Canada Tibet Committee and to the Taiwan International Alliance.

It was so decided.

The PRESIDENT said that he took it that the Council wished to vote on the question of denying accreditation of the Tibetan Rights Campaign to the United Nations Conference on Human Settlements.

At the request of the representative of the United States of America, a recorded vote was taken.

In favour: Bangladesh, Belarus, Brazil, China, Colombia, Congo, Côte d'Ivoire, Egypt, Gabon, Ghana, Guyana, India, Indonesia, Jordan, Lebanon, Malaysia, Pakistan, Sudan, Tunisia, United Republic of Tanzania, Zimbabwe.

Against: Bulgaria, Czech Republic, Finland, France, Germany, Ireland, Luxembourg, Netherlands, Nicaragua, Paraguay, Poland, Portugal, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining: Argentina, Australia, Canada, Chile, Costa Rica, Greece, Jamaica, Japan, Philippines, Romania, Russian Federation, Senegal, South Africa, Thailand, Togo, Venezuela.

Accreditation of the Tibetan Rights Campaign was rejected by 21 votes to 15, with 16 abstentions.

Mr. WANG Xuexian (China) said that his delegation was most gratified that justice had prevailed once again, and he hoped that such would become the practice of the Economic and Social Council, and of the entire United Nations system. Hegemonism should find no place in the Council's deliberations. He thanked all those delegations which had supported his position.

Mr. ROWE (Australia) said that his delegation had abstained in the vote because the explanations and information necessary in order to take a considered position had not been provided to the Council. A full disclosure had not been made of the reasons for which the Tibetan Rights Campaign had been moved to the list of non-governmental organizations not recommended for accreditation. It was essential to ensure that in future the integrity of the accreditation process should be strictly adhered to.

Ms. IRISH (Canada) said that her Government was strongly committed to participation and access for non-governmental organizations at the United Nations Conference on Human Settlements, as at all recent United Nations conferences and summits. The overall integrity of the accreditation process and the interests of the Conference would be best served by accepting the

recommendations of the Conference secretariat based on objective application of the agreed criteria established for accreditation to that particular Conference. Her delegation had had reservations about the secretariat's decision to change its original recommendation in favour of accreditation without clearly setting out the reasons. In the absence of sufficient clarity, it had not been possible for her delegation to form a definitive view on the case before the Council. In future, agreed criteria should be applied so as to ensure the broadest possible access of non-governmental organizations which could contribute constructively to the aims of such conferences.

The meeting rose at 1.30 p.m.